

REMARKS/ARGUMENTS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

By this Amendment, claims 1-10 have been cancelled without prejudice to their subsequent prosecution in any continuing application or disclaimer of the proprietary rights set forth therein. New claims 11-22 have been added in this Amendment. In addition, the Abstract has been amended to address the Examiner's comments. No new subject matter has been added as a result of these amendments.

Initially, the Examiner is thanked for including U.S. Patent No. 4,567,557 on the PTO-892 form. Regarding the claim objections, the original claims have been canceled and new claims 11-22 added in order to address the claim objections and place the claims in better form for allowance. Therefore, it is respectfully requested that the claim objections be withdrawn.

II. THE REJECTIONS UNDER 35 U.S.C. § 103(a)

In numbered paragraph 8 of the Office Action, claims 1-4 and 6-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,234 to Myer et al. ("Myer") in view of U.S. Patent Number 5,663,621 to Popat ("Popat"). The rejections are traversed for at least the following reasons.

As stated above, claims 1-10 have been cancelled. New independent claims 11, 15, 17 and 21 recite a step "whereby the coefficients and/or the control algorithms are modified in order to manage conflicts and interactions between the different devices" which is similar to the limitation of claim 2. In the Office Action, in referring to claim 2, the Examiner states that Myer teaches managing conflicts between different devices. It is submitted that the relied upon

portions of Myer does not teach managing conflicts in the same manner taught by the Applicants in the instant application.

In the instant invention, during the initialization and computing phase, the computing means uses both the fixed parameters and the general information stored in memory in order to determine operational algorithms for the solar protection devices, and/or coefficients for such algorithms. Once the algorithms are established independently for each device, the central unit checks that the operations induced by these algorithms do not risk generating contradictions. If operational contradictions are generated, the central unit modifies the corresponding algorithms in order to manage the conflicts and the interactions between the devices. Page 10, ¶ 4 to page 11, ¶ 1. This type of conflict resolution is also outlined on page 46, section 6.6.3.4.5 of the attached "animeo[®] IB+^{2.0} Operating software" owner's manual ("owner's manual") that is associated with the instant invention.

For example, the conflicts and interactions management between devices in the instant invention addresses the following situation. When a person is in a room and requires a desired lighting or brightness level, brightness in the room may be controlled using an external awning. If, however, it is windy outside, operation of the awning may be prohibited by a security function in the program that restricts awning operation in windy conditions. In this case, room brightness is controlled using internal Venetian blinds. Therefore, since operation of the exterior awning was prevented or locked by the security function, the system recognized a conflict in its commands and the central unit modified the algorithms to operate the Venetian blinds in order to control the brightness in the room.

In contrast, the conflict management system in the relied upon portions of Myer is completely different. In Myer, as understood by the Applicants, nodes are designated with

unique subnet and node addresses. If there is a conflict between the subnet/node number of one device and another device, the master sends management messages to one of the conflicting devices to reconfigure the subnet/node address. *See* col. 7, lines 1-9. Therefore, the conflict management system of Myer deals with address errors in the system or with simultaneous communication of devices on a BUS and not with choosing between devices when one is locked from use by a security feature. Hence, the conflict to be resolved and the solution to the conflict in the instant invention and Myer are different.

New independent claims 13, 16, 19 and 22 recite a step "of duplicating the results of one or more of the preceding steps in order to generate the coefficients and/or the control algorithms of certain solar protection and/or lighting devices" which is similar to the limitation of claim 10. The duplication step is further outlined on page 38, section 6.6.3.2 of the attached owner's manual. It is submitted that neither Myer nor Popat, alone or in combination, teach or suggest or motivate a skilled artisan to perform such a duplication step.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings either in the references themselves or in the general knowledge available to one of ordinary skill in the art; second, there must be a reasonable expectation of success; third, the prior art reference or references must teach or suggest all the claim limitations. M.P.E.P. § 2143. Therefore, since neither Myer nor Popat teach, suggest or motivate a skilled artisan to manage conflicts and interactions between different devices in the same manner as the instant invention and since neither teach, suggest or motivate the skilled artisan to use the duplication of results as outlined above, the instant invention is unobvious.

For at least the foregoing reasons, it is respectfully submitted that independent claims 11,

13, 15, 16, 17, 19, 21 and 22 patentably distinguish over those portions of Myer and Popat relied upon by the Examiner and are therefore allowable. Furthermore, claim 12 that depends from claim 11, claim 14 that depends from claim 13, claim 18 that depends from claim 17 and claim 20 that depends from claim 19, are allowable therewith.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

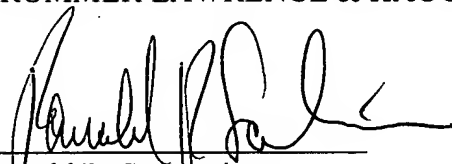
CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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